

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2017-370-E

IN RE: Joint Application and Petition of)
South Carolina Electric & Gas Company)
and Dominion Energy, Inc. for review and)
approval of a proposed business combination)
between SCANA Corporation and)
Dominion Energy, Inc., as may be required,)
and for prudency determination regarding)
the abandonment of the V. C. Summer Units)
2 & 3 Project and associated merger benefits)
and cost recovery plans.)
_____)

**STATE OF SOUTH CAROLINA
EX REL. ALAN WILSON,
ATTORNEY GENERAL,
PETITION TO INTERVENE**

The State of South Carolina ex rel. Alan Wilson, Attorney General, hereby petitions the Public Service Commission of South Carolina to intervene in the above captioned docket pursuant to S.C. Code Ann. Reg. 103-825 (2012). In support of this Petition, the Attorney General states as follows:

1. On January 12, 2018, South Carolina Electric and Gas Company and Dominion Energy, Inc., filed the Application and Petition for Review and Approval in this docket as referenced in the above caption. That Petition requests, in part, that the Public Service Commission approve the proposed merger, if required, adopt the "Customer Benefits Plan" set forth in the Petition, and "[a]s a disfavored alternative if the Merger does not close or if the Commission does not approve the Merger or Customer Benefits Plan," adopt the other measures requested in the Petition. The Petition also requests that the Commission terminate reporting requirements regarding construction progress.

2. The Attorney General has been allowed to intervene in Docket No. 2017-305-E, Request of the Office of Regulatory Staff for Rate Relief to South Carolina Electric & Gas Company's Rates pursuant to S.C. Code Ann. §58-27-920. Order, October 11, 2017. Consistent with his Opinion of September 26, 2017, the Attorney General has taken the position in that proceeding that the Base Load Review Act is unconstitutional as applied.
3. As the chief law officer of the State, the Attorney General may exercise such power and authority as public interests may require and may institute, conduct and maintain all such suits and proceedings as he deems necessary for the protection of public rights. *See, State ex rel. Condon v. Hodges*, 349 S.C. 232, 239, 562 S.E.2d 623, 627 (2002). The Attorney General is further charged with "when required by the Secretary of State, State Treasurer, Adjutant General, Comptroller General, or any other State officer or the Public Service Commission, consult and advise with them, respectively, on questions of law relating to their official business." S.C. Code Ann. §1-7-110 (Rev. 2005).
4. As with Docket No. 2017-305-E, this case concerns the rights and monetary interests of over 700,000 South Carolina ratepayers of SCE&G. As the chief legal officer of South Carolina, it is the sworn duty of the Attorney General to seek to protect the rights of those citizens of the State. Just as he has been allowed to intervene in Docket 305-E, the Attorney General should also be allowed to intervene in the instant proceeding.
5. If allowed to intervene, the Attorney General will participate to advocate on legal matters and issues in this proceeding affecting the public interest. The Attorney General

has not otherwise formulated its position in this proceeding and intends to present his position in comments, briefs, arguments or testimony as specified by the Commission.

6. The State of South Carolina ex rel Alan Wilson, Attorney General, will be represented in this proceeding by Robert D. Cook, Solicitor General, and J. Emory Smith, Jr., Deputy Solicitor General, for which contact information is listed below.

WHEREFORE, the State ex rel Alan Wilson, Attorney General, prays that he be allowed to intervene in this matter.

Respectfully submitted,

ALAN WILSON
Attorney General

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Solicitor General
S.C. Bar. No. 1373

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BY: 

ATTORNEYS FOR THE
STATE OF SOUTH CAROLINA EX REL.
ALAN WILSON, ATTORNEY GENERAL

April 5, 2018